

National Governors Association are opposing this clarification.

This clarification is needed to protect the current State taxation policies, and I am proud to support it and urge my colleagues to do as well.

Mr. CANNON. Mr. Speaker, I would like to thank Chairman SENSENBRENNER, Ranking Member CONYERS and Representatives WATT for their work and leadership on this legislation.

H.R. 4019 is a technical amendment to Public Law 104-95. This legislation clarifies that all retirees should be treated the same with regard to how States may tax retirement payments.

In 1996, Congress passed Public Law 104-95 to prohibit States from taxing the retirement income of nonresident retirees. Essentially, if retirees, most of whom are on fixed incomes, are not living in the State, then no State except the State where the individual resides should tax the retirees' incomes.

After passage of the 1996 law, most States interpreted the law, as it was intended, to apply to all retirees, including employees and partners. One State, however, has recently taken the position that it can treat retired employees of a company and retired partners from partnership differently. This State's interpretation is contrary to the original intent of the law and would allow for a State to tax the retirement payments of a person who retires from a partnership, no matter where that retiree is living. This was not the intent of Congress when the bill was passed, as was emphasized at our hearing by our former colleague Mr. Gekas, who was chair of the subcommittee when Public Law 104-95 was enacted. Congress intended for all retirees to be treated the same under the law, and H.R. 4019 simply clarifies that intent. States must treat all retirees similarly.

I have worked with the State tax administrators and crafted a manager's amendment that passed the full committee by voice vote in order to alleviate their initial concerns, an appreciate their efforts in coming to the table to reach agreement.

I urge all of my colleagues to support H.R. 4019.

Mr. CONYERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4019, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 38 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETRI) at 6 o'clock and 30 minutes p.m.

#### COMMUNICATION FROM THE HON. CHARLIE NORWOOD, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable Charlie Norwood, Member of Congress:

U.S. CONGRESS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 17, 2006.

Hon. J. Dennis Hastert,  
Speaker, House of Representatives, Washington DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a civil deposition subpoena, issued by the Superior Court of Fulton County, GA, for documents and testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

CHARLIE NORWOOD,  
Member of Congress.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3085, by the yeas and nays;

H.R. 3496, by the yeas and nays;

H.R. 3729, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in this series will be a 5-minute vote.

#### TRAIL OF TEARS STUDY ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3085, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 3085, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 356, nays 5, not voting 71, as follows:

[Roll No. 375]

YEAS—356

Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Baca  
Bachus  
Baird

Baker  
Baldwin  
Barrett (SC)  
Barrow  
Bartlett (MD)  
Barton (TX)  
Bass  
Bean

Becerra  
Berkley  
Berman  
Berry  
Biggert  
Bilbray  
Bishop (GA)  
Bishop (NY)

Bishop (UT)  
Blackburn  
Blunt  
Boehrlert  
Boehner  
Bonner  
Bono  
Boren  
Boswell  
Boucher  
Boustany  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (SC)  
Brown-Waite,  
Ginny  
Burton (IN)  
Butterfield  
Buyer  
Camp (MI)  
Campbell (CA)  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carnahan  
Carson  
Carter  
Castle  
Chabot  
Chandler  
Chocoma  
Clay  
Cleaver  
Clyburn  
Cole (OK)  
Conaway  
Conyers  
Cooper  
Costa  
Crenshaw  
Crowley  
Cubin  
Cuellar  
Culberson  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (KY)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Doggett  
Doyle  
Drake  
Dreier  
Duncan  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English (PA)  
Eshoo  
Etheridge  
Everett  
Farr  
Feeney  
Ferguson  
Filner  
Foley  
Forbes  
Fortenberry  
Fossella  
Frank (MA)  
Franks (AZ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gohmert  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger

Graves  
Green, Al  
Green, Gene  
Grijalva  
Gutknecht  
Hall  
Harman  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hefley  
Hensarling  
Herger  
Herseth  
Higgins  
Hinchey  
Hinojosa  
Hobson  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Hostettler  
Hoyer  
Hunter  
Hyde  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick (MI)  
King (IA)  
King (NY)  
Kirk  
Kline  
Knollenberg  
Kolbe  
Kucinich  
Kuhl (NY)  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
LoBiondo  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maloney  
Manzullo  
Marchant  
Markey  
Marshall  
Matsui  
McCarthy  
McCaul (TX)  
McCollum (MN)  
McCotter  
McCrery  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McMorris  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica

Michaud  
Millender-McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Musgrave  
Myrick  
Napolitano  
Neal (MA)  
Neugebauer  
Ney  
Norwood  
Nunes  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Otter  
Pallone  
Pastor  
Payne  
Pearce  
Pelosi  
Peterson (MN)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Pombo  
Pomeroy  
Porter  
Putnam  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Saxton  
Schakowsky  
Schiff  
Schmidt  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Sodrel  
Solis  
Souder  
Spratt  
Stark

Stearns  
Stupak  
Sullivan  
Tancredo  
Tanner  
Tauscher  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi

Tierney  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walden (OR)  
Walsh  
Wamp  
Wasserman  
Schultz  
Waters

Watson  
Watt  
Weldon (PA)  
Westmoreland  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)

## NAYS—5

Coble  
Flake

Foxx  
Jones (NC)

Paul

## NOT VOTING—71

Abercrombie  
Andrews  
Beauprez  
Bilirakis  
Blumenauer  
Bonilla  
Boozman  
Brown (OH)  
Brown, Corrine  
Burgess  
Calvert  
Cannon  
Case  
Costello  
Cramer  
Davis (FL)  
Davis (IL)  
Deal (GA)  
Dingell  
Doolittle  
Evans  
Fattah  
Fitzpatrick (PA)  
Ford

Frelinghuysen  
Gallegly  
Garrett (NJ)  
Green (WI)  
Gutierrez  
Harris  
Hayes  
Hulshof  
Inglis (SC)  
Istook  
Jindal  
Johnson, Sam  
Kind  
Kingston  
LaHood  
Lantos  
Lee  
Lipinski  
Matheson  
McKinney  
Miller, George  
Nadler  
Northup  
Nussle

Owens  
Oxley  
Pascrell  
Pence  
Peterson (PA)  
Price (GA)  
Price (NC)  
Pryce (OH)  
Rothman  
Schwartz (PA)  
Schwarz (MI)  
Sessions  
Shuster  
Strickland  
Sweeney  
Terry  
Townes  
Waxman  
Weiner  
Weldon (FL)  
Weller  
Wexler  
Young (FL)

## □ 1855

Mr. COBLE changed his vote from “yea” to “nay.”

Messrs. BAKER, JOHNSON of Illinois, GOODE, and RUSH changed their vote from “nay” to “yea.”

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## NATIONAL CAPITAL TRANSPORTATION AMENDMENTS ACT OF 2006

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3496, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 3496, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 120, not voting 70, as follows:

[Roll No. 376]

## YEAS—242

Ackerman  
Allen  
Baca  
Baird  
Baldwin

Barrow  
Bass  
Becerra  
Berkley  
Berman

Berry  
Bilbray  
Bishop (GA)  
Bishop (NY)  
Blunt

Boehrlert  
Boehner  
Boren  
Boswell  
Boucher  
Boustany  
Boyd  
Brady (PA)  
Brady (TX)  
Brown-Waite,  
Ginny  
Burton (IN)  
Butterfield  
Buyer  
Capito  
Capps  
Cardin  
Cardoza  
Carnahan  
Carson  
Castle  
Chandler  
Clay  
Cleaver  
Clyburn  
Cole (OK)  
Conyers  
Costa  
Crenshaw  
Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (TN)  
Davis, Tom  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Doggett  
Doyle  
Dreier  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English (PA)  
Eshoo  
Etheridge  
Farr  
Ferguson  
Filner  
Foley  
Fortenberry  
Fossella  
Frank (MA)  
Gerlach  
Gilchrest  
Gillmor  
Gonzalez  
Gordon  
Graves  
Green, Al  
Green, Gene  
Grijalva  
Hall  
Harman  
Hastings (FL)  
Hastings (WA)  
Herse  
Higgins  
Hinchey

Hinojosa  
Hobson  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Hunter  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (CT)  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Kennedy (RI)  
Kildee  
Kilpatrick (MI)  
King (NY)  
Kirk  
Kolbe  
Kucinich  
Kuhl (NY)  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Sherwood  
Levin  
Lewis (CA)  
Lewis (GA)  
Linder  
Lofgren, Zoe  
Lowey  
Lucas  
Lynch  
Maloney  
Marshall  
Matsui  
McCarthy  
McCollum (MN)  
McCotter  
McCrery  
McDermott  
McGovern  
McHugh  
McIntyre  
McNulty  
Meehan  
Meek (FL)  
Melancon  
Mica  
Michaud  
Millender-  
McDonald  
Miller (MI)  
Miller (NC)  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murtha  
Napolitano  
Neal (MA)  
Nunes  
Oberstar  
Oliver  
Ortiz  
Osborne  
Pallone  
Pastor  
Payne

Pelosi  
Pickering  
Platts  
Pombo  
Pomeroy  
Porter  
Rahall  
Rangel  
Regula  
Renzi  
Reyes  
Reynolds  
Rogers (AL)  
Ros-Lehtinen  
Ross  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sabo  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Saxton  
Schakowsky  
Schiff  
Scott (GA)  
Scott (VA)  
Serrano  
Shays  
Sherman  
Sherwood  
Shimkus  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stupak  
Tanner  
Tauscher  
Thomas  
Thompson (CA)  
Thompson (MS)  
Tiahrt  
Tiberi  
Turner  
Udall (CO)  
Mica  
Udall (NM)  
Van Hollen  
Velázquez  
Visclosky  
Walden (OR)  
Walsh  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Weldon (PA)  
Whitfield  
Wicker  
Wilson (NM)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)

## NAYS—120

Aderholt  
Akin  
Alexander  
Bachus  
Baker  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bean  
Biggart  
Bishop (UT)  
Blackburn  
Bonner  
Bono  
Bradley (NH)  
Brown (SC)  
Camp (MI)  
Campbell (CA)  
Cantor

Capuano  
Carter  
Chabot  
Chocola  
Coble  
Conaway  
Cooper  
Cubin  
Culberson  
Davis (KY)  
Davis, Jo Ann  
Drake  
Duncan  
Everett  
Feeney  
Flake  
Forbes  
Foxx  
Franks (AZ)

Frelinghuysen  
Gibbons  
Gingrey  
Gohmert  
Goode  
Goodlatte  
Granger  
Gutknecht  
Hart  
Hayworth  
Hefley  
Hensarling  
Herger  
Hoekstra  
Hostettler  
Hyde  
Jenkins  
Johnson (IL)  
Jones (NC)

Keller  
Kelly  
Kennedy (MN)  
King (IA)  
Kline  
Knollenberg  
Lewis (KY)  
LoBiondo  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Markey  
McCaul (TX)  
McHenry  
McKeon  
McMorris  
Miller (FL)  
Miller, Gary  
Moran (KS)  
Murphy

Musgrave  
Myrick  
Neugebauer  
Ney  
Norwood  
Obey  
Otter  
Paul  
Pearce  
Peterson (MN)  
Petri  
Pitts  
Poe  
Putnam  
Radanovich  
Ramstad  
Rehberg  
Reichert  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Royce

Ryan (WI)  
Ryun (KS)  
Schmidt  
Sensenbrenner  
Shadegg  
Shaw  
Sodrel  
Stark  
Stearns  
Sullivan  
Tancredo  
Taylor (MS)  
Taylor (NC)  
Thornberry  
Tierney  
Upton  
Wamp  
Weldon (FL)  
Westmoreland  
Wilson (SC)

## NOT VOTING—70

Abercrombie  
Andrews  
Beauprez  
Bilirakis  
Blumenauer  
Bonilla  
Boozman  
Brown (OH)  
Brown, Corrine  
Burgess  
Calvert  
Cannon  
Case  
Costello  
Cramer  
Davis (FL)  
Davis (IL)  
Deal (GA)  
Dingell  
Doolittle  
Evans  
Fattah  
Fitzpatrick (PA)  
Ford

Gallegly  
Garrett (NJ)  
Green (WI)  
Gutierrez  
Harris  
Hayes  
Hulshof  
Inglis (SC)  
Istook  
Johnson, Sam  
Kind  
Kingston  
LaHood  
Lantos  
Lee  
Lipinski  
Matheson  
McKinney  
Meeks (NY)  
Miller, George  
Nadler  
Northup  
Nussle

Owens  
Oxley  
Pascrell  
Pence  
Peterson (PA)  
Price (GA)  
Price (NC)  
Pryce (OH)  
Rothman  
Jindal  
Schwartz (PA)  
Schwarz (MI)  
Sessions  
Shuster  
Strickland  
Sweeney  
Terry  
Townes  
Waxman  
Weiner  
Weller  
Wexler  
Young (FL)

## □ 1906

Mr. McGOVERN changed his vote from “nay” to “yea.”

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## FEDERAL JUDICIARY EMERGENCY TOLLING ACT OF 2006

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3729, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 3729, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 363, nays 0, not voting 69, as follows:

[Roll No. 377]

## YEAS—363

Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Baca  
Bachus  
Baird

Baker  
Baldwin  
Barrett (SC)  
Barrow  
Bartlett (MD)  
Barton (TX)  
Bass  
Bean

Becerra  
Berkley  
Berman  
Berry  
Biggart  
Bilbray  
Bishop (GA)  
Bishop (NY)